

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAMON LAMAR CAMPBELL,

Plaintiff,

vs.

MANUEL PORTILLO et al.,

Defendants.

3:11-cv-00532-RCJ-VPC

ORDER

Plaintiff is a prisoner in the custody of the Nevada Department of Corrections. He has sued Defendants in this Court under 42 U.S.C. § 1983 for various civil rights violations. The Court permitted excessive force and deliberate indifference claims under the Eighth Amendment to proceed upon screening. The Magistrate Judge denied Plaintiff's motion to appoint counsel. The Court adopted the Magistrate Judge's report and recommendation to grant summary judgment to Defendants. The Court of Appeals reversed in part, ruling that Defendants were not entitled to summary judgment against the excessive force claim. Plaintiff has again asked the Court to appoint counsel and has also asked the Court to award him attorney's fees under § 1988(b). The Court denies the motions. The case is even less complex now than it was when the Magistrate Judge first denied appointment of counsel, because only one claim remains for trial. Nor are attorney's fees available, as Plaintiff has not yet prevailed on any claim.

CONCLUSION

IT IS HEREBY ORDERED that the Motion to Appoint Counsel (ECF No. 71) and the Motion for Attorney's Fees (ECF No. 72) are DENIED.

IT IS SO ORDERED.

Dated this 18th day of July, 2016.



ROBERT C. JONES
United States District Judge